

DOA
07/21/25

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

United States of America

v.

1. Santos Mendivil Contreras, Jr., and,
(Counts 1, 2, 3, 7, and 8)
2. Emanuel Mendivil Cervantes.
(Counts 4, 5, and 6)

CRIMINAL COMPLAINT

CASE NUMBER: 25-9300 MJ

I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief:

On or about the dates described in Attachment A in the County of Maricopa in the District of Arizona, Defendants SANTOS MENDIVIL CONTRERAS, JR. and EMANUEL MENDIVIL CERVANTES, violated Title 18, U.S.C. Section 111(a), Assault on a Federal Officer, and Defendant SANTOS MENDIVIL CONTRERAS, JR., violated Title 18, U.S.C. Sections 922(a)(6) and 924(a)(2), Material False Statement During the Purchase of a Firearm, described as follows:

See Attachment A – Description of Counts

I further state that I am a Special Agent (SA) for Federal Bureau of Investigation (FBI), and that this complaint is based on the following facts:

See Attachment B, Statement of Probable Cause, Incorporated by Reference Herein.

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

AUTHORIZED BY: AUSAs Diamond Zambrano and Addison Owen



Digitally signed by DIAMOND ZAMBRANO
Date: 2025.07.22 17:51:47 -0700

SA Candace Rose

Name of Complainant


Signature of Complainant

Sworn to telephonically before me

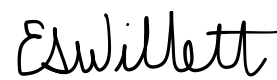
7/22/2025@6:12pm
Date

at Phoenix, Arizona
City and State

HONORABLE EILEEN S. WILLETT

United States Magistrate Judge

Name & Title of Judicial Officer


Signature of Judicial Officer

ATTACHMENT A
DESCRIPTION OF COUNTS

COUNT 1

Assault on a Federal Officer

On or about July 21 2025, in the District of Arizona, Defendant SANTOS MENDIVIL CONTRERAS, JR. did intentionally and forcibly assault, resist, oppose, impede, intimidate, and interfere with Homeland Security Investigations Special Agent (SA) J.B. who is an employee of the United States and protected as designated in 18 U.S.C. § 1114, while SA J.B. was engaged in and on account of the performance of his official duties, and Defendant SANTOS MENDIVIL CONTRERAS, JR. did so by making physical contact, to wit: Grabbing his firearm.

All in violation of Title 18, United States Code, Section 111(a).

COUNT 2

Assault on a Federal Officer

On or about July 21, 2025, in the District of Arizona, Defendant SANTOS MENDIVIL CONTRERAS, JR. did intentionally and forcibly assault, resist, oppose, impede, intimidate, and interfere with Homeland Security Investigations Special Agent (SA) J.B. who is an employee of the United States and protected as designated in 18 U.S.C. § 1114, while SA J.B. was engaged in and on account of the performance of his official duties, and Defendant SANTOS MENDIVIL CONTRERAS, JR. did so by making physical contact, to wit: Actively fighting.

All in violation of Title 18, United States Code, Section 111(a).

COUNT 3

Assault on a Federal Officer

On or about July 21, 2025, in the District of Arizona, Defendant SANTOS MENDIVIL CONTRERAS, JR. did intentionally and forcibly assault, resist, oppose, impede, intimidate, and interfere with Homeland Security Investigations Special Agent (SA) R.K. who is an employee of the United States and protected as designated in 18 U.S.C. § 1114, while SA R.K. was engaged in and on account of the performance of his official duties, and Defendant SANTOS MENDIVIL CONTRERAS, JR. did so by making physical contact, to wit: Actively fighting.

All in violation of Title 18, United States Code, Section 111(a).

COUNT 4

Assault on a Federal Officer

On or about July 21, 2025, in the District of Arizona, Defendant EMANUEL MENDIVIL CERVANTES did intentionally and forcibly assault, resist, oppose, impede, intimidate, and interfere with Homeland Security Investigations Special Agent (SA) R.K. who is an employee of the United States and protected as designated in 18 U.S.C. § 1114, while SA R.K. was engaged in and on account of the performance of his official duties, and Defendant EMANUEL MENDIVIL CERVANTES did so by making physical contact, to wit: pushing and kicking.

All in violation of Title 18, United States Code, Section 111(a).

COUNT 5

Assault on a Federal Officer

On or about July 21, 2025, in the District of Arizona, Defendant EMANUEL MENDIVIL CERVANTES did intentionally and forcibly assault, resist, oppose, impede, intimidate, and interfere with Homeland Security Investigations Special Agent (SA) R.R. who is an employee of the United States and protected as designated in 18 U.S.C. § 1114, while SA R.R. was engaged in and on account of the performance of his official duties, and Defendant EMANUEL MENDIVIL CERVANTES did so by making physical contact, to wit: kicking.

All in violation of Title 18, United States Code, Section 111(a).

COUNT 6

Assault on a Federal Officer

On or about July 21, 2025, in the District of Arizona, Defendant EMANUEL MENDIVIL CERVANTES did intentionally and forcibly assault, resist, oppose, impede, intimidate, and interfere with Homeland Security Investigations Special Agent (SA) C.H. who is an employee of the United States and protected as designated in 18 U.S.C. § 1114, while SA C.H. was engaged in and on account of the performance of his official duties, and Defendant EMANUEL MENDIVIL CERVANTES did so by making physical contact, to wit: kicking.

All in violation of Title 18, United States Code, Section 111(a).

COUNT 7

Assault on a Federal Officer

On or about July 21, 2025, in the District of Arizona, Defendant SANTOS MENDIVIL CONTRERAS, JR. did intentionally and forcibly assault, resist, oppose, impede, intimidate, and interfere with Homeland Security Investigations Special Agents (SA) J.B. who is an employee of the United States and protected as designated in 18 U.S.C. § 1114, while SA J.B. was engaged in and on account of the performance of his official duties, and Defendant SANTOS MENDIVIL CONTRERAS, JR. did so by making physical contact, to wit: Biting the Back of SA J.B.'s knee.

All in violation of Title 18, United States Code, Section 111(a).

COUNT 8

Material False Statement During the Purchase of a Firearm

On or about April 9, 2025, in the District of Arizona, Defendant SANTOS MENDIVIL CONTRERAS, JR. knowingly made false statements and representations, which were intended and likely to deceive, to Glockmeister, which was licensed under the provisions of Chapter 44 of Title 18, United States Code, and those false statements and representations were made as to a fact material to the lawfulness of a sale of a firearm by the business and with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Glockmeister, in that Defendant SANTOS MENDIVIL CONTRERAS, JR. did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, stating he was (1) not illegally or unlawfully in the United States and (2) is not an alien who has been admitted to the United States under a non-immigrant visa, whereas in truth and fact, Defendant SANTOS MENDIVIL CONTRERAS, JR. knew that he was unlawfully and illegally present in the United States and had previously been admitted to the United States under a non-immigrant visa (to wit: B2 visa).

In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

ELECTRONICALLY SUBMITTED STATEMENT OF PROBABLE CAUSE

I, Candace M. Rose, Special Agent with Federal Bureau of Investigation (FBI), being duly sworn, depose and state as follows, to wit:

PRELIMINARY BACKGROUND INFORMATION

1. I am a Special Agent with the FBI assigned to the Phoenix Division. I have been so employed for twenty-one years and I am currently assigned to the Violent Crimes and Major Offenders Squad. As a Special Agent, I have been responsible for conducting federal and international investigations relating to crimes involving the sexual exploitation of children, crimes involving assaults on federal officers, bank robberies, kidnappings and other violent crimes. I have received basic, advanced, and on-the-job training in these investigations. The statements contained in this Affidavit are based on my experience and background as a Special Agent and on information provided by other law enforcement agents.

2. Because this Affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that are necessary to establish probable cause to believe that evidence of violations of 18 U.S.C. § 111(a)(1) were committed by SANTOS MENDIVIL CONTRERAS, JR. and EMANUEL MENDIVIL CERVANTES, and SANTOS MENDIVIL CONTRERAS, JR. made a material false statement during the purchase of a firearms in violation of 18 U.S.C. §§ 922(a)(6) and 924(a)(2).

SUMMARY INTRODUCTION

3. SANTOS MENDIVIL CONTRERAS, JR. (“SANTOS”) entered the United States on November 21, 2022, using a B2 non-immigrant visa. The visa expired on December 3, 2022. Since that time, there is no record of SANTOS leaving the United States. Therefore, since December 3, 2022, SANTOS has been unlawfully and illegally present in the United States.

4. On or about July 21, 2025, Special Agents from Homeland Security Investigations were conducting surveillance in relation to administrative immigration enforcement operations and a criminal investigation related to attempted firearm purchases by SANTOS, which is within their scope of official duties.

5. In the vicinity of Cave Creek Road in Phoenix, Arizona, agents tried to take SANTOS into custody. SANTOS fled in his vehicle and then assaulted the agents by attempting to take a handgun from an agent, and kicking, spitting, hitting and biting agents.

6. Upon seeing his father in an altercation with agents, EMANUEL MENDIVIL CERVANTES (“EMANUEL”) also began kicking and fighting the agents.

7. Four agents were injured by SANTOS and EMANUEL.

8. In this affidavit, I believe there is probable cause to believe that both SANTOS MENDIVIL CONTRERAS, JR. and EMANUEL MENDIVIL CERVANTES assaulted federal agents in violation of 18 U.S.C. § 111(a), and SANTOS MENDIVIL CONTRERAS, JR. made a material false statement during the purchase of a firearms in violation of 18 U.S.C. §§ 922(a)(6) and 924(a)(2).

DETAILS OF THE INVESTIGATION

9. SANTOS entered the United States on November 21, 2022, using a B2 non-immigrant visa. The visa expired on December 3, 2022. Since that time, there is no record of SANTOS leaving the United States. Therefore, since December 3, 2022, SANTOS has been unlawfully and illegally present in the United States.

10. In approximately early July 2025, Special Agents (SA) from Homeland Security Investigations (HSI) were alerted that SANTOS had attempted to purchase firearms and the transactions had been denied due to his immigration status.

11. Agents learned that on two separate occasions, April 9, 2025 and April 16, 2025, SANTOS had attempted to purchase firearms at two separate Federal Firearm Licensees (“FFL”). Agents

were able to obtain a copy of the ATF Form 4473, Firearms Transaction Record, associated with the transaction on April 9, 2025.

12. On April 9, 2025 at Glockmeister, an FFL in Phoenix, Arizona, SANTOS completed ATF Form 4473 providing his identifying information, consistent with the known information specific to SANTOS, to include an address on Cave Creek Road (hereafter “residence on Cave Creek Road”). Question 1 states “Are you an alien illegally or unlawfully in the United States?,” to which SANTOS responded “No.” Question m.1 states “Are you an alien who has been admitted to the United States under a nonimmigrant visa?,” to which SANTOS responded “No.” (Count 8)

13. SANTOS provided the completed ATF Form 4473 to a Glockmeister employee to facilitate the purchase of two Glock handguns. The Glockmeister employee ran a background check through the National Instant Criminal Background Check System (NICS), which returned a “denied” response.

14. HSI Agents attempted to contact SANTOS at his residence on Cave Creek Road in Phoenix, Arizona in approximately early July 2025. After answering the door and observing law enforcement, SANTOS shut the door on agents. The same agents returned to the residence at a later date and observed individual(s) in the residence peer out the blinds. However, no one opened the door for agents.

15. On July 21, 2025, the same HSI agents were in the vicinity of the residence in the morning and observed a Chevrolet S-10 (hereafter, “S-10”), known to them to be registered to SANTOS. Later in the day, the S-10 was no longer parked at the residence. Approximately four HSI Agents, including the three that had previously attempted to contact SANTOS, set up surveillance in the vicinity.

16. At approximately 1:10 p.m., the S-10 pulled into the neighborhood. The truck was driven by SANTOS and occupied by a second male passenger later identified as EMANUEL MENDIVIL CERVANTES. It was later learned that SANTOS is the father of EMANUEL.

17. SA J.B., who was wearing a law enforcement vest that was marked "Police" on the front and back, activated the emergency (red and blue) lights in his unmarked HSI vehicle. The emergency lights are visible in the grill, visor, sides and back of the vehicle. Upon doing so, the S-10 sped off faster. SA J.B. then activated the sirens in his vehicle and observed that the S-10 began driving even faster.

18. The S-10 drove to SANTOS' residence, and SANTOS exited the driver's side of the truck and attempted to gain entry to the residence. SA J.B. drew his issued handgun and said, "Police. don't move." SANTOS lunged at SA J.B. and got his hands on the gun. The two fought over control of the gun. (Count 1)

19. SA R.K. was close behind in his unmarked vehicle. SA R.K. had also activated his emergency lights during the pursuit. SA R.K. was not wearing clothing that identified himself as law enforcement but had his badge on his belt which was visible. As SA R.K. approached the S-10, he asked EMANUEL if he had any weapons and told him to stay put. SA R.K. heard SA J.B. say, "he's got my gun" and SA R.K. observed that they were struggling over the gun. SA R.K. attempted to take SANTOS' hands off the gun. Once they were able to do so, SA R.K. believed that SA J.B. holstered his weapon. (Count 1)

20. The three went to the ground and the Agents tried to handcuff SANTOS. SANTOS was actively fighting and resisting the Agents and would not show his hands. SANTOS called the Agents "pussies." The Agents gave commands such as "Police" and "Stop Resisting." (Counts 2 and 3)

21. While SAs R.K. and J.B. were struggling with SANTOS, EMANUEL exited the vehicle and pushed and kicked SA R.K. SA J.B. then attempted to handcuff EMANUEL. (Count 4)

22. At approximately this time, SA R.R. arrived on scene and assisted SA R.K. with handcuffing SANTOS. EMANUEL kicked SA R.R. in the legs and told him to get off his dad. SA R.R. told SANTOS and EMANUEL that they were the police and yelled, "stop fighting." SANTOS said, "he's just kicking you." (Count 5)

23. Shortly afterwards, SA C.H. arrived and assisted with handcuffing SANTOS. While on scene, SA C.H. stated that he and the other agents told SANTOS and EMANUEL to “stop resisting” and “give me your hands.” EMANUEL also kicked SA C.H. in the leg after he was placed in handcuffs. (Count 6)

24. During the altercation, a female, later identified as the mother of SANTOS, exited the residence and appeared to be recording the incident with her cell phone. One of the Agents took the phone from her. At this point SANTOS bit the back of SA J.B.’s knee, which ripped his jeans and broke his skin. (Count 7)

25. Once the Agents were able to gain control of SANTOS and EMANUEL, they placed them into the back of an HSI vehicle and exited the vicinity. Once in the vehicle, SANTOS made statements to SA J.B. such as, “I’m gonna remember you,” and “I’m gonna find you.” SANTOS spit at the Agents and continued to fight and resist as they tried to place a seat belt on him.

26. During the incident, SANTOS spoke in both Spanish and English. EMANUEL spoke in Spanish. SA R.R. spoke both Spanish and English.

Interview of EMANUEL MENDIVIL CERVANTES

27. EMANUEL was interviewed by Special Agents of the Federal Bureau of Investigation (FBI). EMANUEL was advised in Spanish of his *Miranda* rights, and he indicated that he understood them and wished to speak with Agents. EMANUEL was interviewed in Spanish. EMANUEL stated that he observed Agents approach his father and saw that they were police, but thought they were getting jumped. He pushed and kicked Agents to protect himself and his father.

Interview of SANTOS MENDIVIL CONTRERAS, JR

28. SANTOS was interviewed by Special Agents of the Federal Bureau of Investigation (FBI). SANTOS was advised in Spanish of his *Miranda* rights, and he indicated that he understood them and wished to speak with Agents. SANTOS was interviewed in Spanish.

29. SANTOS advised that he saw that the first Agent was wearing a vest and had radios but did not see police markings. SANTOS and his son were on their way back to the house to get an address when he observed two black cars with lights. SANTOS stated that the Agent dressed in all black pointed his gun at him with his left hand. SANTOS grabbed the Agent's right arm and pushed him. They grappled with each other and SANTOS ended up on top. The Agent then yelled, "he grabbed my gun. He took my gun." SANTOS denied grabbing the Agent's gun.

30. SANTOS advised that the second Agent, who was not wearing clothing that identified himself as law enforcement, struck him in the face.

31. During the altercation, SANTOS saw his son exit the truck, get hit four times, and then laid on the ground in the fetal position. SANTOS got mad when he saw this.

32. Then, SANTOS' mother exited the residence and started to record the incident. An Agent took the phone from her and SANTOS heard her say, "don't push me." This made SANTOS angrier, so he bit the leg of the Agent who he thought took her phone.

33. When SANTOS said this in the interview, he rubbed his eyes and said something to the effect of "wah wah" in a mocking manner.

34. SANTOS noticed that the third Agent stated, "We're police. Stop resisting." SANTOS commented that he could have hurt the Agents badly if he wanted to.

35. SANTOS stated that he had been in a bar fight approximately two weeks prior to this incident. He thought that perhaps the Agents were the guys he got in a fight with and not actually law enforcement.

Injuries Sustained

36. SA R.R. received scratches and cuts to his hands that did not require medical attention.

37. SA J.B. was bitten on his right leg behind his right knee. The bite broke through his jeans and broke the skin. He also sustained scrapes to his elbow, shins and hand and injured his neck. He was treated and released from the hospital.

38. SA R.K. sustained a contusion to his right elbow, received kicks to his lower legs, and was almost bitten by SANTOS multiple times. He was treated and released from the hospital.

39. SA C.H. sustained injuries to his left shoulder and suffered neck pain and numbness down his left arm. He was also kicked in his leg. He was treated and released from the hospital.

40. Based on the foregoing, I believe that there is probable cause that SANTOS MENDIVIL CONTRERAS, JR. and EMANUEL MENDIVIL CERVANTES assaulted federal agents in violation of 18 U.S.C. § 111(a)(1), and SANTOS MENDIVIL CONTRERAS, JR. made a material false statement during the purchase of a firearms in violation of 18 U.S.C. §§ 922(a)(6) and 924(a)(2).

Respectfully submitted,



Candace M. Rose
Special Agent
Federal Bureau of Investigation

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Sworn and subscribed telephonically before me this ____ day of July 2025.



HONORABLE EILEEN S. WILLETT
United States Magistrate Judge